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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,855	07/26/2006	Axel Busboom	P16731-US1	6153

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EXAMINER	
CHAI, LONGBIT	
ART UNIT	PAPER NUMBER
2431	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/551,855	BUSBOOM ET AL.	
	Examiner	Art Unit	
	LONGBIT CHAI	2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 July 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 October 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/3/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Preliminary Amendment

1. Examiner acknowledges Preliminary Amendment for the claims filed 10/3/2005. Applicants have cancelled claim 31 to put the claims in proper form for examination. The submitted amendments have been entered and made of record. Presently, pending claims are 1 – 30.

Priority

2. The application is filed on 7/26/2006 but has a 371 case of PCT/EP03/03539 application filed 4/4/2003.

Claim Objections

3. Claim 11 is objected to because of the following informalities: "ereated and communicated" should be replaced with "created and communicated".

4. Claim 18 is objected to because of the following informalities: "rotated data accessible at the at feast" should be replaced with "related data accessible at the at least".

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 28 – 30 are rejected under 35 U.S.C. 101 because these claims are directed to "A computer program loadable into the processing unit", which is merely an example of functional descriptive material, (i.e. software per se), and is nonstatutory under 35 USC 101. By not limiting the computer program product to being stored / embedded on a computer readable storage medium, there is a lack of the required functional and structural interrelationship between the software and the computer storage medium that permits the functionality of the software to be realized upon access by a processor. This ability is what underlies the ability to provide a practical application. Warmerdam, 33 F.3d at 1361, 31 USPQ2d at 1760. In re Sarkar, 588 F.2d 1330, 1333, 200 USPQ 132, 137 (CCPA 1978). See MPEP § 2106 (IV.B).1(a). Any other claims not addressed are rejected by virtue of their dependency.

6. Claims 12, 19, 22 and 28 – 30 are rejected under 35 U.S.C. 101 because the cited claims are adapted to perform a certain function. Examiner notes that claim language such as "adapted to (or adaptable)" merely suggests limitations or makes limitations optional to a certain extent. In using claim language such as "adapted to (or adaptable)" applicant has not required steps to be performed or limited an apparatus to a particular structure (see MPEP 2106). Therefore, the cited claims fail to provide an invention with a useful, concrete and tangible result. Any other claims not addressed are rejected by virtue of their dependency.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1 – 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kutaragi et al. (U.S. Patent 2002/0049580), in view of Epstein (U.S. Patent 6,023,510).

As per claim 1, 12, 22, 28 and 30, Kutaragi teaches a method for provision of access for a data requesting entity (Kutaragi: Figure 1 / Element 3: security server is equivalent to a data requesting entity) to data related to a principal (Kutaragi: Para [0039]: client device ID is qualified as a principal), comprising the following steps:

creating an access granting ticket (Kutaragi: Para [0039]: the access request message including the user information is qualified as an access granting ticket) comprising:

(a) an access specification specifying a permission for an access to data related to the principal, said data being available at a data providing entity (Kutaragi: Para [0039] and Para [0043] Line 11 – 19: (a) the user information included in the access request message is qualified as an access specification which determines / specifies whether or not the access permission can be granted by the content server (i.e. data

providing entity) and (b) the user information need to be pre-registered at by the content server),

(b) a principal identifier representing the principal towards the data providing entity (Kutaragi: Para [0039]: device ID is qualified as the principal).

However, Kutaragi does not disclose expressly encrypting the access granting ticket with an encryption key of the data providing entity.

Epstein teaches encrypting the access granting ticket with an encryption key of the data providing entity (Epstein: Column 3 Line 36 – 42 / Line 50 – 51).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Epstein within the system of Kutaragi because (a) Kutaragi teaches sending an access request message to a content server (Kutaragi: Para [0039]), and (b) Epstein teaches the access query / request message is better to be encrypted / protected using a content server's public / private key as per encryption technique for data protection (Epstein: Column 3 Line 36 – 42 / Line 50 – 51).

communicating to the data requesting entity the encrypted access granting ticket accompanied by an identifier of the data providing entity (Kutaragi: Figure 1 / Element 2, Element 3 & Element 5: the access request message originated from user device must go through the security server (i.e. data requesting entity) to reach the content server (i.e. the data providing entity) & (Epstein: Column 3 Line 36 – 42 / Line 50 – 51: (a) the access request message is encrypted with content server's public key and (b) content server's public key can be considered as an identifier of the data providing entity),

communicating from the data requesting entity to the data providing entity a request comprising the encrypted access granting ticket (see immediate rationale above),

decrypting the encrypted access granting ticket with a decryption key of the data providing entity corresponding to the encryption key (Epstein: Column 3 Line 50 – 51),

providing to the data requesting entity access to data related to the principal identifier according to the access specification (Kutaragi: Para [0039] / Last sentence and Para [0043] Line 11 – 19).

As per claim 19 and 29, Kutaragi teaches a data requesting entity comprising:

a receiving unit for receiving messages and information; a transmission unit for sending of messages and information, and a processing unit for processing of messages and information (Kutaragi: Figure 1),

the receiving unit is adapted to receive a first encrypted access granting ticket (Kutaragi: Figure 1 / Element 3: security server is equivalent to a data requesting entity) for provision of access to first data related to a principal (Kutaragi: Para [0039]: client device ID is qualified as a principal), said first data being available at a first data providing entity (Kutaragi: Para [0039]: (a) the user information included in the access request message is qualified as an access specification which determines / specifies whether or not the access permission can be granted by the content server (i.e. data providing entity) and (b) the user information need to be pre-registered at by the content server).

Kutaragi does not disclose expressly the first encrypted access granting ticket being accompanied by an identifier of the first data providing entity.

Epstein teaches the first encrypted access granting ticket being accompanied by an identifier of the first data providing entity (Epstein: Column 3 Line 36 – 42 / Line 50 – 51).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Epstein within the system of Kutaragi because (a) Kutaragi teaches sending an access request message to a content server (Kutaragi: Para [0039] and Para [0043] Line 11 – 19), and (b) Epstein teaches the access query / request message is better to be encrypted / protected using a content server's public / private key as per encryption technique for data protection (Epstein: Column 3 Line 36 – 42 / Line 50 – 51).

Epstein in view of Kutaragi teaches to receive a further encrypted access granting ticket for provision of access to further data related to the principal, said further data being available at a further data providing entity, the further encrypted access granting ticket being accompanied by a further identifier of the further data providing entity (Kutaragi: Para [0008] Line 13 – 14: the content server requests the user client to further resend the user information), the processing unit is adapted to generate a first request comprising:

the first encrypted access granting ticket and a further request comprising the further encrypted access granting ticket and the transmission unit is adapted to send the first request to the first data providing entity and the further request to the further data

providing entity, and the receiving unit is adapted to receive a first indication for access provision to the first data from the first data providing entity and a further indication for access provision to the further data from the further data providing entity (Kutaragi: Para [0039]: the access request message including the user information is qualified as an access granting ticket) & (Epstein: Column 3 Line 36 – 42 / Line 50 – 51).

As per claim 2, 13 and 23, Kutaragi as modified teaches the encrypted access granting ticket comprises or is accompanied by verification information and access is provided based on an analysis of the verification information (Kutaragi: Para [0039] and Para [0043] Line 11 – 19) & (Epstein: Column 3 Line 36 – 42 / Line 50 – 51: the encrypted access granting ticket comprises verification information as shown above).

As per claim 3 and 24, Kutaragi as modified teaches the request to the data providing entity comprises a specification for requested data related to the principal and access is provided according to a matching of the access specification and the requested data (Kutaragi: Para [0039] and Para [0043] Line 11 – 19).

As per claim 4, 14 and 21, Kutaragi as modified teaches the access granting ticket is created based on a data storage correlating at least two items of a group comprising the identifier of the data providing entity, the data related to the principal available at the data providing entity, the principal identifier, the encryption key, and the

access specification (Kutaragi: Para [0039] and Para [0043] Line 11 – 19) & (Epstein: Column 3 Line 36 – 42 / Line 50 – 51).

As per claim 5 and 15, Kutaragi as modified teaches an indication for the access specification is entered into a principal entity to create the access granting ticket (Kutaragi: Para [0039] Line 1 – 5: the user / device identity information is entered and available at the client device).

As per claim 6, 16 and 25, Kutaragi as modified teaches the access granting ticket further comprises security information and access is provided based on an analysis of the security information (Kutaragi: Para [0039] and Para [0043] Line 11 – 19) & (Epstein: Column 3 Line 36 – 42 / Line 50 – 51).

As per claim 7, 8 and 17, Kutaragi as modified teaches the encrypted access granting ticket is accompanied by public information (Epstein: Column 3 Line 36 – 42 / Line 50 – 51: the encrypted access granting ticket indeed comprises content server's public key information) & (Kutaragi: Para [0039] and Para [0043] Line 11 – 19).

As per claim 9 and 26, Kutaragi as modified teaches the decryption is based on an analysis of the public information (Epstein: Column 3 Line 36 – 42 / Line 50 – 51: the decryption of the access granting ticket is based upon content server's public key information).

As per claim 10 and 27, Kutaragi as modified teaches the data to which access is provided to is transferred to the data requesting entity (Kutaragi: Figure 1 / Element 15-1, 2 & 3: access data is transferred to a security server -- i.e., the data requesting entity).

As per claim 11 and 18, Kutaragi as modified teaches at least one further encrypted-access granting ticket for further data related to the principal available at least one further data providing entity is ereated and communicated to the data requesting entity for provision of access to the further principal related data available at the at least one further data providing entity, the at least one further encrypted access granting ticket being accompanied by at least one further identifier of the at least one further data providing entity (Kutaragi: Para [0039], Para [0043] Line 11 – 19 and Para [0008] Line 13 – 14: the content server requests the user client to further resend the user information) & (Epstein: Column 3 Line 36 – 42 / Line 50 – 51).

As per claim 20, Kutaragi as modified teaches at least one of the first encrypted access granting ticket and the further encrypted access granting ticket is accompanied by public information and the processing unit is adapted to analyze the public information before the generation of at least one of the first request and the further request (Epstein: Column 3 Line 36 – 42 / Line 50 – 51: (a) encrypted access granting ticket comprises public information such as content server's public key information (b)

the generation of the encryption for the request represented by encrypted access granting ticket must analyze the content server's public key information first prior to using its public key for encryption).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LONGBIT CHAI whose telephone number is (571)272-3788. The examiner can normally be reached on Monday-Friday 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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